



Senate

General Assembly

File No. 736

January Session, 2003

Substitute Senate Bill No. 833

Senate, May 20, 2003

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING INDOOR TANNING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2003*) (a) As used in this
2 section:

3 (1) "Consumer" means any individual who (A) is provided access to
4 a tanning facility in exchange for a fee or other compensation, or (B) in
5 exchange for a fee or other compensation, is afforded use of a tanning
6 device as a condition or benefit of membership or access;

7 (2) "Operator" means an individual designated by the tanning
8 facility to control operation of the tanning facility and to instruct and
9 assist the consumer in the proper operation of the tanning device;

10 (3) "Tanning device" means any equipment that emits radiation
11 used for tanning of the skin, such as a sunlamp, tanning booth or
12 tanning bed that emits ultraviolet radiation, and includes any
13 accompanying equipment, such as timers or handrails; and

14 (4) "Tanning facility" means any place where a tanning device is
15 used for a fee, membership dues or other compensation.

16 (b) Any operator who, knowing that a person is under sixteen years
17 of age or under circumstances where such operator should know that a
18 person is under sixteen years of age, allows such person to use a
19 tanning device shall be fined not more than one hundred dollars. Such
20 fine shall be payable to the municipal health department or health
21 district for the municipality in which the tanning facility is located.

22 (c) Any municipal health department established under chapter
23 368e of the general statutes, and any district department of health
24 established under chapter 368f of the general statutes, may, within its
25 available resources, enforce the provisions of this section.

This act shall take effect as follows:	
Section 1	October 1, 2003

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 04 \$	FY 05 \$
Various Municipalities	Revenue Gain	Potential Minimal	Potential Minimal

Explanation

A minimal revenue gain to local health departments/districts may result from the collection of fines of up to \$100 paid by tanning facility operators allowing persons under age sixteen to use a tanning device. It is anticipated that municipal governments will undertake enforcement activities to the extent that local resources allow.

OLR Bill Analysis

sSB 833

AN ACT CONCERNING INDOOR TANNING**SUMMARY:**

This bill prohibits a tanning facility operator from knowingly allowing a person under age 16 to use a tanning device. Under the bill, a "tanning device" is any equipment emitting radiation used for tanning, such as a sunlamp, tanning booth, or tanning bed emitting ultraviolet radiation. It includes any accompanying equipment, such as timers and handrails. A "tanning facility" is any place where a tanning device is used for a fee, membership dues, or other compensation. An "operator" is the person the facility designates to control its operation and instruct and assist consumers in the proper use of the tanning device.

The bill imposes a fine on a facility operator of up to \$100 for violations. It authorizes municipal and district health departments to enforce the bill, within available resources, with any fines payable to the municipal or district health department.

EFFECTIVE DATE: October 1, 2003

BACKGROUND***Legislative History***

The Senate referred the bill (File 231) to the Planning and Development Committee on April 15. That committee reported it favorably without change on April 23. The Senate then referred the bill to the Judiciary Committee on April 30. On May 6, the Judiciary Committee reported a substitute bill, that eliminated provisions in the original bill (1) requiring tanning facilities to post signs warning about the risks of tanning devices, instructions for use, and notice that complaints can be made to the health department; (2) requiring consumers to read and sign a warning statement about associated health risks from tanning devices and use of protective eyewear; (3) requiring consumers to wear protective eyewear; (4) requiring anyone under age 18 to get written parental permission to use a tanning device using forms approved by

local health departments; and (5) allowing for a 90 day prison term, or a \$100 fine, or both for violating the bill.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 19 Nay 2

Planning and Development Committee

Joint Favorable Report

Yea 8 Nay 5

Judiciary Committee

Joint Favorable Substitute

Yea 24 Nay 11